Special Issue With New Light on the Annie Lee Moss Affair

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The FBI, McCarthy and the Witch Hunt

Perhaps the biggest and certainly the most tantalizing untold story of this whole period is the part played by the FBI in the witch hunt. Senator Fulbright (D. Ark.), the only Senator to vote against the McCarthy appropriation, is also the only Senator with nerve enough to talk publicly about it. The Senator told an Associated Press reporter last week that he was no longer giving information to the FBI because he was convinced that the McCarthy committee had access to its files.

In whatever time McCarthy's sudden access of out-of-town speaking engagements leaves for investigation, this is one question the McCarthy committee will not explore. Yet there is evidence which suggests that the FBI has had close, if carefully hidden, links with Congressional witch hunt committees ever since the U.S. Chamber of Commerce in 1946 launched its drive to purge the government, the movies, the air waves, the lecture platform and the arts, sciences and professions generally of "reds" and "pinks."

There are indications that the FBI and the Congressional witch hunt committees were synchronized in the thought control drive, that FBI men moved in to staff the committees, and that the FBI's informers and undercover operatives were released to the committees as witnesses when their usefulness as agents had been ended by exposure, failure to obtain indictments, or their appearance in court.

Publicizing the FBI Files

Robert K. Carr ventures some cautious "general observations" on this in his authoritative work on "The House Committee on Un-American Activities, 1945-50." He writes that "a surprisingly large number" of the hearings in the latter part of this period "made public information already well known to the FBI." He notes "Often the leading witness in such committee hearings was an undercover FBI agent who had infiltrated the Communist movement." Professor Carr concludes, "It is quite apparent that these hearings were designed to serve the purpose of publicizing information in FBI files." (Pages 168-9).

At another point (p. 274), Professor Carr observes, "The investigative arm of the committee's staff has always regarded itself as a 'little FBI.' Ex-FBI men have provided part of its personnel, and its methods and interests have been comparable to those of the FBI."

An important direct bit of evidence is not mentioned in the Carr book. This may be found in the Committee's hearings in July, 1948, when Elizabeth Bentley was first heard by it. In the preceding months, her testimony to a special Federal grand jury had failed to win indictments. Her public appearance then followed. During her appearance before the House committee, there was an interesting remark made by its chairman, J. Parnell Thomas.

Parnell Thomas Lets Slip The Truth

"The closest relationship," Thomas said (July 31, 1948, Page 561, Hearings Regarding Communist Espionage in the U. S. Government, House Un-Am. Com. 80th Congress. 2d Session), "exists between this committee and the FBI. I cannot say as much as (sic) between this committee and the Attorney General's office, but the closest relationship exists between this Committee and the FBI. I think there is a very good understanding between us. *It is something, however, that we cannot talk too much about.*" (Italics added.)

In this same realm of "something . . . we cannot talk too much about" may lie hidden the story of how the Committee first managed to obtain Miss Bentley and Whitaker Chambers as witnesses, how it gathered the atomic spy scare information it used in the 1948 campaign after this information had failed to stand up as evidence in legal proceedings, and how it learned of the J. Edgar Hoover letter to Secretary of Commerce W. Averill Harriman smearing Edward U. Condon, then director of the National Bureau of Standards. This, too, played its part in the attempt to defeat the Democrats in 1948.

When the full story becomes known, Clayton Fritchie may look very naive for that rejoinder he made last winter to Attorney General Herbert Brownell in the Harry Dexter White affair. Fritchie, speaking for the Democratic National Committee, accused Brownell of "dragging the FBI into politics" by producing J. Edgar Hoover as a witness before the Jenner committee. It is doubtful that an official so powerful as Mr. Hoover may be dragged against his will into anything he does not wish to enter. From his demeanor before the committee, there was no reason to suppose that there had been prior coercion in the dungeons of the Department of Justice. On the contrary, Mr. Hoover sounded like a man who had been saving up a long time for just this occasion.

Hoover Always in the Anti New Deal Corner

The head of the FBI "stayed out of politics"—at least publicly—during the Roosevelt and Truman Administrations because such intrusion might have cost him his job; his own anti-liberal preconceptions were notorious within the two Administrations. But material from his files, and witnesses from the FBI's private stables, began to help the Republicans smear the Democrats after the war.

The career of Robert E. Lee, our newest Federal Communications Commissioner, may throw some light on this relationship. Lee had risen within the FBI to be administrative assistant to J. Edgar Hoover in 1941. According to the biography Lee supplied the Senate Commerce Committee in the

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"Something . . . That We Cannot Talk Too Much About"

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recent hearings on his appointment, he "was also a public relations representative for the FBI and made over 200 speeches on the work of the Bureau before civic organizations" (p. 2. Lee Hearings, Sen. Com. Com. 83rd Con. 2d Sess.) In 1946 Lee was "loaned" (the word is his) by Hoover to the House Appropriations Committee. It seems to have been a loan to the Republicans. When the Republicans won control of the House in 1946, Lee became chief of staff for the Appropriations Committee. When the Republicans lost control of the House in 1948, he became their minority clerk.

In 1947 Lee went into the State Department files for the Appropriations Committee and compiled that list of 108 "subversives" which later supplied the material for McCarthy's sensational rehash in 1950. The text of the original may be found in the appendix to the Tydings Committee hearings (State Dept. Employe Loyalty Investigation, Hearings Before a Subcommittee of the Senate For. Rel. Com. 81st Con. 2d Sess. Pt. 2. pp. 1771-1813).

Those who think there is any difference between FBI and Congressional witch hunt standards should study this compilation, including the suspect in whose raincoat pocket were found Russian lessons, the official of whom it was "revealed that . . . he held an office in the American Newspaper Guild," the man who was "a member of the American Civil Liberties Union," the subvert who "apparently belonged to questionable groups in college. His parents are both Russian born" and the man who signed a petition "requesting right of asylum for John Strachey, well-known British radical"!

Lee's material was culled from the State Department's own files, and not directly from the FBI. It may be doubted whether Hoover or his assistants have been rash enough to allow a Congressional committee direct access to FBI files. But when so many of the committee personnel are former FBI men, especially FBI men "on loan," they have contacts through which they can get and check information. They also bring with them a good deal of knowledge. There are many discreet ways a committee can be "tipped off" by the FBI without making any move which would provide an embarrassing record.

McCarthy's Close Liaison With Hoover

This seems to be particularly true in the case of the McCarthy committee. McCarthy seems to have closer liaison with Hoover than any of McCarthy's predecessors in witch-hunting. Last year, after the Democrats insisted on the ousting of J. B. Matthews as staff director, McCarthy was in the tightest spot he had yet hit. He let it be known that he was conferring with Hoover on the choice of a successor and as a result of these conferences Francis Patrick Carr, supervisor of the New York office of the FBI resigned to become McCarthy's staff director. That was in July. In August there followed that interview with the San Diego *Evening News* (Aug. 22) in which there were accents of almost hero-worshipping admiration for McCarthy.

"McCarthy is a former Marine," Hoover said. "He was an amateur boxer. He's Irish. Combine those, and you're going to have a vigorous individual, who is not going to be pushed around. . . . I never knew Senator McCarthy until he came to the Senate. I've come to know him well, officially and personally. I view him as a friend and believe he so views me. . . . He is earnest and he is honest." It would appear that just as Hoover's ties were with the Republicans in their fight against the Democrats, so his sympathies today are with the McCarthyite against the Eisenhower wing of the Republican party. If a fresh staff is needed impartially to investigate the Army charges against McCarthy, Cohn and Carr, some other agency should be available to investigate should the possibility of perjury or some other crime arise from the coming inquiry.

Smearing Other Intelligence Agencies

A genuine and comprehensive investigation would look into whether the FBI has used the Congressional committees as a means of smearing rival intelligence agencies, especially the CIA and those of the armed services. Much of McCarthy's work, in the case of the Army's Siberian pamphlet and in the Fort Monmouth inquiry, seems to have derived from undercover sniping and jealousy. There is also indication that the FBI has used the committees to revenge itself when the loyalty boards of Federal agencies or grand juries have failed to take its informants seriously.

How thin and spurious these charges may be was demonstrated by the case of Mrs. Annie Lee Moss. This elderly colored woman was named as a Communist by an FBI undercover agent, Mrs. Mary S. Markward, who claims to have wormed her way into a leading position in the Communist party in the District of Columbia while working for the FBI from 1943 to 1951. What the press generally has overlooked, however, is the light this case sheds on how vindictive the FBI can be and on how sloppily it can collect its allegations.

The charges against Mrs. Moss made by Mrs. Markward were examined on three occasions by loyalty agencies without the latter's presence as a witness and dismissed on each occasion, the last being in 1951 by the army's loyalty review board. This seems to have rankled with the FBI. The McCarthy hearings brought out that in the Fall of 1951 after Mrs. Markward had been produced as a witness in New York's "second echelon" Smith Act prosecution, Hoover wrote the Army, offering to produce Mrs. Markward as a witness against Mrs. Moss. The Army, however, did not reopen the case, but recently the House Un-American Activities Committee (under the ex-FBI man Velde) held executive hearings from which the McCarthy committee snatched it.

Unconvincing Even to A GOP Prober

It is clear now that had the Army reopened the case to hear Mrs. Markward in person, the results would not have warranted a verdict against Mrs. Moss. A Republican member of the House Committee told the press after hearing her and other witnesses in executive session that he did not feel the evidence was strong enough to warrant public sessions. When the McCarthy committee held a public session, the case fell apart under questioning by the Democratic members, McClellan (Ark.), Symington (Mo.) and Jackson (Wash.). Mrs. Markward was positive in naming Mrs. Moss as a Communist until McClellan asked her whether she could identify Mrs. Moss. This was the answer elicited: "I don't specifically recall that I do know her as a person," Mrs. Markward admitted. "I don't recall that I don't know her as a person, either. I just have no specific recollection on that point."

A typical piece of dirty McCarthy business at the public hearing came when he said that while Mrs. Moss would deny membership, five other members of her alleged cell would be called to testify. McCarthy said he assumed they would plead the Fifth amendment when asked about Mrs. Moss. The implication was damning. Senator Jackson interjected, "As you recall, they did not take the Fifth amendment in the committee as to knowing her." At this McCarthy said in-

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Round the (Unsteady) Globe

A FEW MONTHS AGO, it was obvious that this was going to be the dirtiest election year in American history, but who dreamed that McCarthy would so soon be on the receiving end, that Nixon would be on a nationwide hookup rebuking McCarthy for exaggerating the menace of Communism, and that the Army and Joe would be locked in a combat that must end in his humiliation?

THE BRICKER AMENDMENT has been revived and negotiations for bases in Canada further slowed up by Dulles' insistence at press conference last week that the NATO and Rio pacts give the President the right to make war without consulting Congress. Many opposed to the amendment will now see it in a new light and its revival in Congress is expected. The Dulles statement will also strengthen Canadian opposition to American bases. The speech made by Canada's Secretary for External Affairs at the National Press Club last Monday reflected a twofold fear in Canada. One is of being propelled into war without that "collective consultation" which Pearson said should precede "collective action." The second is of excessive rigidity in American policy, especially on China. This lay behind Pearson's polite reference to "a fear that seems to freeze us into diplomatic immobility or fire us into something almost like panic." The President's confused effort at press conference to set matters right must be left for later unravelling. In actuality the "instant retaliation" policy won adoption as a kind of smoke-screen for military retrenchment.

IN HIS TV TAX ADDRESS, the President looked like a man who was performing a chore in which he had no real interest, before climbing back into bed with that Western. His eyes were focussed on the manuscript behind the cameras instead of on the audience, and like a small boy being taught elocution he often puts his gestures and winning smiles in the wrong place. His tax program will haunt the G.O.P. by Fall. The chances are that the Democrats will win enough support to pass higher income tax exemptions, thus getting the credit, while the Republicans must bear the onus of a Presidential veto, which will be upheld. The idea of helping business by reducing taxes on dividends instead of raising exemptions in the lower brackets is pure 1920 Hooverism, which will antagonize not only the lower and middle third but the business community which depends on retail sales and consumer goods.

IT WILL TAKE A FEW WEEKS for the news to get past the clouds of self-generated praise but the American public will soon begin to realize that Mr. Dulles' hit-and-run visit to Caracas was no triumph and left a bad taste in Latin America. The obsession with Communism while we turn a blind eye to military dictatorship in the hemisphere is sourly observed below the Rio Grande. The invocation of the Monroe Doctrine makes poor reading for Latin American intellectuals aware that Monroe and Canning were acting against a reactionary Holy Alliance much like the Vatican-blessed counter revolution now being waged under U. S. auspices. The question below the border is not whether Communists may have disproportionate power in Guatemala but whether the same excuse may be utilized for intervention whenever some other Latin American country gets tired of slipping on banana peels.

THE EISENHOWER ADMINISTRATION is under great pressure from Britain and France to ease up on East-West trade, and privately the White House is friendly to the idea, though deathly afraid of the China Lobby crowd. The French have even been led to believe that we might possibly ease up the embargo on China if Peiping agreed to a settlement on Indo-China. Eisenhower and Stassen are for trade relaxation. The President's reference to butter surpluses a week ago recalls the argument advanced "off the record" in another department when the butter deal was still pending some weeks ago. Officials told reporters that if we sold butter to Russia, that would hurt NATO. Why? Because it would cut into Denmark's sales of butter to Russia—and Denmark is part of NATO.

FOR ALL THE CHANGE in American policy, Eisenhower has not entirely forgotten the war. "I understand," the Paris correspondent of the London *Sunday Times* reported last week, "that at Bermuda Sir Winston Churchill proposed direct German rearmament should France reject EDC, but that President Eisenhower would not agree." The news from the Reich reflects a resurgence of the old German arrogance. When the *Verband Deutscher Soldaten* (Union of German Soldiers) met recently at Bonn to demand the release of all war criminals, there were cheers when the President of the Bundestag, Dr. Ehlers, said "The German soldier is entitled to the same respect for his task as are the soldiers of other countries." This puts the task of sending people to the gas chambers on a par with rescuing them.

OUR ATTORNEYS GENERAL steadily degenerate and it was left for Tom Clark, speaking for the U. S. Supreme Court, to rebuke Attorney General Brownell last Monday for the habit of announcing decisions in advance of hearings. The appeal was from a Joseph Accardi who was listed by Brownell publicly as an "unsavory character" and set down for deportation in advance of the administrative hearing. Accardi said this made a fair hearing impossible. A majority agreed; Jackson, Reed, Burton and Minton dissented. The decision casts an interesting light on the litigation brought by the National Lawyers Guild against the Attorney General for similarly publishing his verdict first—and holding his trial afterward. So Clark upholds due process, and Nixon calls for a curb on witch-hunting . . . and wonders (of a sort) never cease.

A COMMITEE OF 10,000 to raise $1,000,000 to help victims of the witch hunt was launched at last week-end's Emergency Civil Liberties Conference to honor Einstein's 75th birthday in Princeton. We will make a fuller report on the project soon. Dr. Horace B. Davis of the University of Kansas City —a Jenner committee victim—will speak for the Committee next Thursday in New York, March 25, at 110 W. 48th Street, and Harvey O'Connor will report on his Western trip.

The Old Fashioned Gas Meter—

Went off when the quarter expired. We can't be quite as ruthless as the gas company. A minority of readers, as the old German song goes, *legt mir im herzen.* Please use that business reply envelope we sent laggards last week and renew without further wooing. You'll feel so much better when it's over.

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Though the FBI's Informer Was So Certain
There Seem to Be Three Annie Lee Mosses in Washington, D. C.

Slippery Cohn: "Never Inquired Into His Race"

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dignantly, "Let us keep the record straight. If we are going to discuss the executive testimony, I would prefer not to."

Cohn thereupon claimed that there were other informants, still in "confidential" status and gave the impression that he had the run of the FBI files.

Senator Jackson. I take it that information is in her FBI file?

Mr. Cohn. Yes, sir, it is.

Senator Jackson. The Annie Lee Moss FBI file?

Mr. Cohn. That is correct. There is only one Annie Lee Moss FBI file. We have ascertained that and have been told that the Annie Lee Moss Mrs. Markward is talking about is the Annie Lee Moss that the file deals with, and there is no other.

McCarthy Ducked Out Early

But when Mrs. Moss appeared before the committee last week in an unforgettable session, she said there were three Annie Lee Mosses in the Washington directory. First Senator McClellan and then Senator Symington went out of their way by sharp questioning to demonstrate their indignation and sympathy and to protest Cohn's putting into the record what some unnamed witness was supposed to have said. McCarthy left early, knowing (after an executive session) what was coming and the acting chairman, Mundt, made no effort to stop the applause that interrupted McClellan and Symington on four occasions when they made points in Mrs. Moss's favor.

The most striking collapse of evidence, and the strongest testimony to sloppy FBI investigating methods, concerned Mrs. Moss's alleged close relations with Robert Hall, formerly Washington correspondent of the Daily Worker. It turned out, however, that this connection was limited to one occasion in 1943 when Hall is supposed to have sold a Sunday Worker to Mrs. Moss's family. Mrs. Moss did admit knowing a Robert Hall, but insisted that he was a Negro. Hall is a white man and Cohn by his evasiveness indicated an awareness of this when Robert Kennedy, the minority counsel, asked him about it. Kennedy asked Cohn whether Hall was a Negro or a white man.

Slippery Footwork by Cohn

Mr. Cohn. I never inquired into his race. I am not sure. We can check that, though.

Mr. Kennedy (with some surprise). I thought I just spoke to you about it.

Mr. Cohn. My assumption has been that he is a white man, but we can check that.

Never Heard of Karl Marx

This correspondent then sent a note up from the press table to Senator Symington assuring him that Hall is a white man. Hall, when reached by telephone in New York at the *Worker* office after the hearing, said he did not get to Washington until 1946 and was not in the capital during the war. So (1) he was not here at the time, (2) he is a white man and (3) as a one-man bureau for the *Daily Worker* he would hardly have had time to go around selling the *Worker* personally. None of these facts are hard to establish. In all these years and after three loyalty hearings based on FBI information, the FBI either had not learned them or had suppressed them to strengthen the case against Mrs. Moss. No one who heard her could doubt her honesty. This poor utterly non-political woman ("Wazzat?" she cried when Symington asked her if she had ever read Karl Marx) has been cruelly persecuted and ruined by the FBI and the McCarthy committee in their feud with the Army.

The truth is catching up with McCarthy. Cohn will not survive the Army's damning memorandum on his interventions on behalf of Schine. But McCarthy and the FBI man, Carr, will probably outlast this inning. And in the uproar, all too few will notice the key role the FBI has been playing in the witch hunt from J. Parnell Thomas to Joe McCarthy, and will continue to play behind the scenes as one adventurer succeeds another in the center of the stage.

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